IN RE:

PETITION FOR ADMINISTRATIVE

ZONING VARIANCE

E/S Brickstore Road, 370 ft. S of Upper Beckeysville Road

18719 Brickstore Road 5th Election District 3rd Councilmanic District George R. Kibbe, II, et ux

Petitioners

* BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 95-60-A

*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by George R. Kibbe, II and Cynthia A. Kibbe for that property known as 18719 Brickstore Road in the northern section of Baltimore County. The Petitioner/property owners herein seek a variance from Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 18 ft. and an existing front yard setback of 49 ft. in lieu of the required side yard setbacks of 35 ft. and 75 ft. from c/l of street, respectively, for an addition, as more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits

submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of September, 1994 that the Petition for a Zoning Variance from Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 18 ft. and an existing front yard setback of 49 ft. in lieu of the required side yard setbacks of 35 ft. and 75 ft. from c/l of street, respectively, for an addition, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT Zoning Commissioner

for Baltimore County

LES:mmn

Baltimore County Government Zoning Commissioner Office of Planning and Zoning



Suite 113 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

September 13, 1994

Mr. and Mrs. George R. Kibbe, II 18719 Brickstore Road Hampstead, Maryland 21074

RE: Petition for Administrative Zoning Variance

Case No. 95-60-A

Property: 18719 Brickstore Road

Dear Mr. and Mrs. Kibbe:

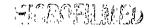
Enclosed please find the decision rendered in the above captioned case. The Petition for an Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

Lawrence E. Schmidt Zoning Commissioner

LES:mmn encl.







Petition for Administrative Variance

95-60-A

to the Zoning Commissioner of Baltimore County

for the property located at

18719 BRICKSTORE RUAD
which is presently zoned RC-2

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached

hereto and made a part hereof, hereby petition for a Variance from Section(s)
IAO1.3.B.3 To permit a side yard setback of 18 ft. (for an addition) and existing front yard setback
of 49 ft. in lieu of the required side yard setback of 35 ft. and 75 ft. from center line of street,
respectively.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) it would like to construct an attricted addition, measuring 14' Deep By 18' long By 15' thich, for the expansion of my mitchen and Breakfast Room area. The Zoning regulations for the RC-2 zone require structures to be located at least 35' from property side lines. Due to the Home's floor plan and location of existing kitchen, it would not be feasible to construct the proposed addition in any other location.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

			I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
Contract Purchaser/Lessee			Legal Owner(s). Geglec R. K. BBE II
(Type or Print Name)			(Type or Print Name)
Signature			Cynthin A Kibbe
Address			(Type of Print Name) Signature (Type of Print Name)
City	State	Zipcode	Signature
Attorney for Petitioner			18719 BRICKSTORE Rd. 239-6596
(Type or Print Name)			18719 BRICKSTORE Rd. 239-6596 Address Hamps tead Mo 21074 City State Zipcode
Signature			Name, Address and phone number of representative to be contacted
Address	Phone No.		ROBERT KIPE Name OLD BACHMAN'S VALLEY ROAD WESTMINSTER, NO. 21157 410-876-2486 Address Phone No.
			WESTMINSTER, NO. 21157 410-876-2486
City	State	Zipcode	Address Phone No.
A Public Hearing having been red	quested and/or found to b	ne required, It is orde	ored by the Zoning Commissioner of Ballimore County, this day of, 19, as required by the Zoning Regulations of Ballimore County, in two newspapers of general



REVIEWED BY: SF DATE: 8-15-54
ESTIMATED POSTING DATE: 8-28-74

circulation throughout Bailimore County, and that the property be reposted.



Printed with Soybean Ink on Recycled Paper * (7/252 JIEM #: 62

Zoning Commissioner of Baltimore County

Affidavit in support of Administrative Variance

ROAD.

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 187/9

	HAMIPSTEAD CITY	MARY LAND State	21074 Zip Code
That based upon personal knowledge, the foll Variance at the above address: (indicate hardship of	owing are the facts upon practical difficulty)	which I/we base the request i	for an Administrative
I WOULD LIKE TO CONST	TRUCT AND A	TACITED ADDITION	I, MEASURING
14' DEEP BY 18' LONG	BY 15' HIGH	, FOR THE EXPA	INSION OF MY
KITCHEN AND BREAKINGT POO	M AREA. DUE	TO THE HOME'S	FLOOR PLAN AND
LECATION OF EXISTING K	TRHEN, IT W	YOULD NOT BE	GEASIBLE TO
CONSTRUCT THE PROPOSE	> ADDITION)	Y ANY OTHER	LOCATION.
THE ADDITION WILL AFFE	CT ONLY TH	E MORTH SIDE	SETBACK
REQUREMENTS EAST, O	UEST AND SO	WIH PROPERTY	LINES WILL
NOT BE AFFECTED B	4 THE PROP	POSED STRUCTU	ViE
That Affiant(s) acknowledge(s) that if a prote may be required to provide additional information of the second of	tion.	(signer()) (type of print name)	
I HEREBY CERTIFY, this day of of Maryland, in and for the County aforesaid, p	Course	, 19 <u>94</u> , before me, a	Notary Public of the State
- Type fase	Harbare	<u>-h</u>	
the Affiants(s) herein, personally known or sat that the matters and facts hereinabove set fortl	isfactorily identified to n h are true and correct to	e as such Affiantt(s), and ma the best of his/her/their know	de oath in due form of law ledge and belief.
AS WITNESS my hand and Notarial Scal.	NOTARY	ase Harba	uB_
	My Comm	ussion Expires: /2//	0/94

95-60-A

MCKEE & ASSOCIATES, INC.

Engineering - Surveying - Real Estate Development

SHAWAN PLACE, 5 SHAWAN ROAD

HUNT VALLEY, MARYLAND 21030

Telephone: (410) 527-1555 Facsimile: (410) 527-1563

June 14, 1993

DESCRIPTION KIBBE PROPERTY FIFTH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

Beginning for the same at a rebar and cap set, said point being the point designated as No. 2 on the "1st. Amended Plat of Blaylock Property" recorded among the Plat Records of Baltimore County in Plat Book S.M. 60, folio 77 on June 6, 1989, said point also being at the end of the 12th or South 89° 30' West 66 perches line of a deed, dated April 1, 1910 between Margaret E. Fowble and Oliver P. Fowble, her husband and Abraham L. Fowble; thence binding on part of the 13th line of said deed, as now surveyed, South 01° 48' 51" West 429.00 feet to a rebar and cap set in the bank east of the east edge of paving of the current road bed of Brick Store Road; thence binding along said road, the two following courses and distances, North 36° 26' 09" West 165.00 feet to a railroad spike set 0.2 feet east of the west edge of paving and North 06° 43' 11" West 282.14 feet to a point in the second line of a deed, dated April 25, 1875 between Lydia Fair et. al. and Eliza Fowble, said point being a railroad spike set 5.8 feet east of the centerline of Brick Store Road; thence reversely along part of the second line of the last mentioned deed, North 83° 44' 59" East 145.46 feet to the place of beginning.

Containing 42,430 square feet or 0.974 acres of land, more or less.

Being the same parcel of ground as conveyed by Terence C. Severe and Cheryl A. Severe, his wife, to George R. Kibbe, II and Cynthia A. Kibbe, his wife, dated October 5, 1984 and recorded among the Land Records of Baltimore County in Liber E.H.K., Jr. 6806, folio 584.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

Toweren, Maryland

95-60-A

District 5 th Posted for: Variance	Date of Posting 8/16/94
Posted for: Variance	·
Petitioner: George & Cynthin Ki	6/2e
Location of property: 18719 Brick Store	
Location of Signe: Facing Toadwoy	on proporty being toned
, , , , , , , , , , , , , , , , , , , ,	· · · · / · · · · · · · · · · · · · · ·
Remarks:	
Posted by Mathaly Signature	Date of return: 9/2/24
Signature	7.7.

MICROFILMED



Palitimore County

Zoning Administration &

Development Management

111 West Chesopeake Avenue

Townen, Maryland 21204

Date 8/15/94

KIBBE __ 18719 Brickstone Rd.

010 - Variance \$ 50.00

080 - Sign ... \$35.00

#85.00

receipt

Account: R-001-6150

Number 62

Taken by JRF

MICHUILINE

01AU1#0101MICHRC BA COO9:45AMU8-15-94 **\$85.00**

Please Make Checks Payable To: Baltimore County



111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

 NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

:	د کا باد بر برد بر بر		خاند شد ک
For newspaper advertising:	1	,	
Item No.: 62	, ,		'
Petitioner: GEOLGE + CYNTHIA NIBBE			
Location: 18719 BRICKSTORIE ROAD HAMPSTEAD,	MO.	21674	6.
PLEASE FORWARD ADVERTISING BILL TO:			,
NAME: GEORGE KIBBE		,	، '، <u>، نان</u> ،
ADDRESS: 18719 BRICK STORIE ROAD.	·	<u> </u>	-
MAMPS NE AD 140. 21074	,		
PHONE NUMBER: 410-239-6596			

AJ:ggs

MICHIGALINICA

(Revised 04/09/93)

Item Number: L2
Planner: JRF
Date Filed: 8-15-94

PETITION PROCESSING FLAG

This petition has been accepted for filing, after an initial review, and has been placed on the agenda for the zoning advisory committee. However, the following items were found to be missing or incomplete when the petition was included on the agenda by Sophia. A copy of this "flag" will be placed in the case file for the Zoning Commissioner's review. The planner that accepted the petition for filing has the option of notifying the petitioner and/or attorney prior to the hearing or Zoning Commissioner's review of the petition regarding the items noted below. If the petitioner/attorney is contacted by the planner, it is the petitioner's ultimate the petition and responsibility to make a proper application, address any zoning conflicts, and to file revised petition materials if necessary. Delays and unnecessary additional expenses may be avoided by correcting the petition to the proper form.

Need an attorney
 The following information is missing: Descriptions, including accurate beginning point Actual address of property Zoning Acreage Plats (need 12, only submitted) 200 scale zoning map with property outlined Election district Councilmanic district BCZR section information and/or wording Hardship/practical difficulty information Owner's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number Contract purchaser's signature (need minimum 1 original signature) and/or printed name and/or printed name and/or address Signature (need minimum 1 original signature) and/or printed name and/or title of person signing for legal owner/contract purchaser Power of attorney or authorization for person signing for legal owner and/or contract purchaser Attorney's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number Notary Public's section is incomplete and/ex incorrect and/or commission has empired



111 West Chesapeake Avenue Towson, MD 21204

> George and Cynthia Kibbe 18719 Brickstore Road Hampstead, Maryland 21074

(410) 887-3353

SEP. O 8 1994

RE: Item No. 62, Case No. 95-60-A Petitioner: George and Cynthia Kibbe

Dear Mr. & Mrs. Kibbe:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on August 15, 1994.

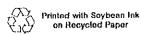
The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

- 1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.
- 2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.
- 3) Attorneys, engineers and applicants who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the forfeiture loss of the filing fee.

W. Carl Richards, Jr.

Zoning Coordinator

WCR:ggs



ASCOPILM:

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

95-60

TO:

ZADM

DATE: 8/31/94

FROM:

DEPRM

Development Coordination

SUBJECT:

Zoning Advisory Committee

Agenda: 8/29/94

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

62

LS:sp

LETTY2/DEPRM/TXTSBP



O. James Lighthizer Secretary Hal Kassoff Administrator

8-26-94.

Ms. Julie Winiarski Zoning Administration and Development Management County Office Building Room 109 111 W. Chesapeake Avenue Towson, Maryland 21204

Re:

Baltimore County
Item No.: + 62 (JRF)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours, Bob Small

David Ramsey, Acting Chief Engineering Access Permits

BS/

Baltimore County Government Fire Department



700 East Joppa Road Suite 901 Towson, MD 21286-5500

(410) 887-4500

DATE: 08/25/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: SEE BELOW

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 60, 62, 63, 64, 65, 67, 68, 69, 70, 71 AND 72.

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

co; File

MICROFILMED



AV apra

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Zoning Administration and Development Management

DATE:

August 29, 1994

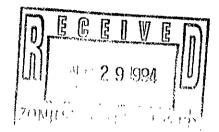
F'ROM:

Pat Keller, Director

Office of Planning and Zoning

SUBJECT:

Petitions from Zoning Advisory Committee



The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos.: 48, 49, 53, 54, 57, 58, 61, 62, 63, 64, 67, and 70.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Division Chief:

PK:JL:bjs

MINTER LINE

C 1.0 1

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: September 7, 1994 Zoning Administration and Development Management

FROM: PRobert W. Bowling, P.E., Chief Developers Engineering Section

RE:

Zoning Advisory Committee Meeting for September 6, 1994 Items 62, 71 and 72

The Developers Engineering Section has reviewed the subject zoning items and we have no comments.

RWB: 6W

Millerior o Litera



111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

September 12 1994

George and Cynthia Kibbe 18719 Brickstore Road Hampstead, Maryland 21074

RE: Case No. 95-60-A, Item No. 62

Petitioner: George and Cynthia Kibbe

Dear Mr. & Mrs. Kibbe:

Enclosed are copies of comments received from Developers Engineering Section on September 7, 1994 for the above-referenced case.

If there are any questions, please do not hesitate to call me at 887-3391.

Sincerely,

Joyce Watson

Enclosure

Printed with Soybean Ink

Baltimore County Government Office of Zoning Administration and Development Management



111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

AUGUST 26, 1994

NOTICE OF CASE NUMBER ASSIGNMENT

TO:

George and Cynthia Kibbe 18719 Brickstore Road Hampstead, Maryland 21074

Re:

CASE NUMBER: 95-60-A (Item 62) 18719 Brickstore Road E/S Brickstore Road, 370' S of Upper Beckeysville Road 5th Election District - 3rd Councilmanic

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

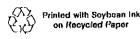
- 1) Your property will be posted on or before August 28, 1994. The closing date (September 12, 1994) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

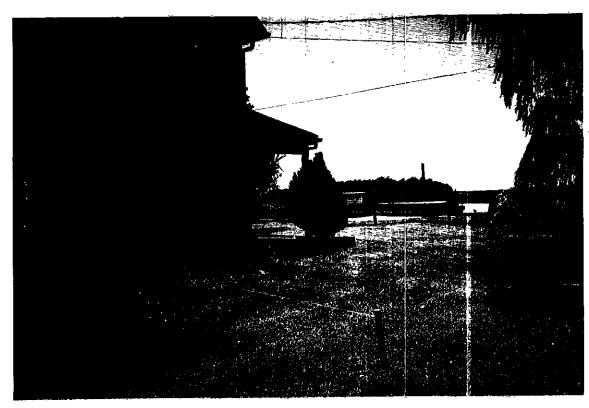
UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PLEASE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon Director

cc: Robert Kipe

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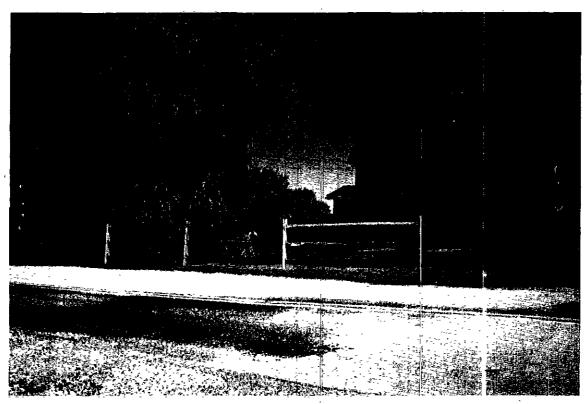




PROPOSED ADDITION SHOWN FROM REAR



PRONT ELEUATION

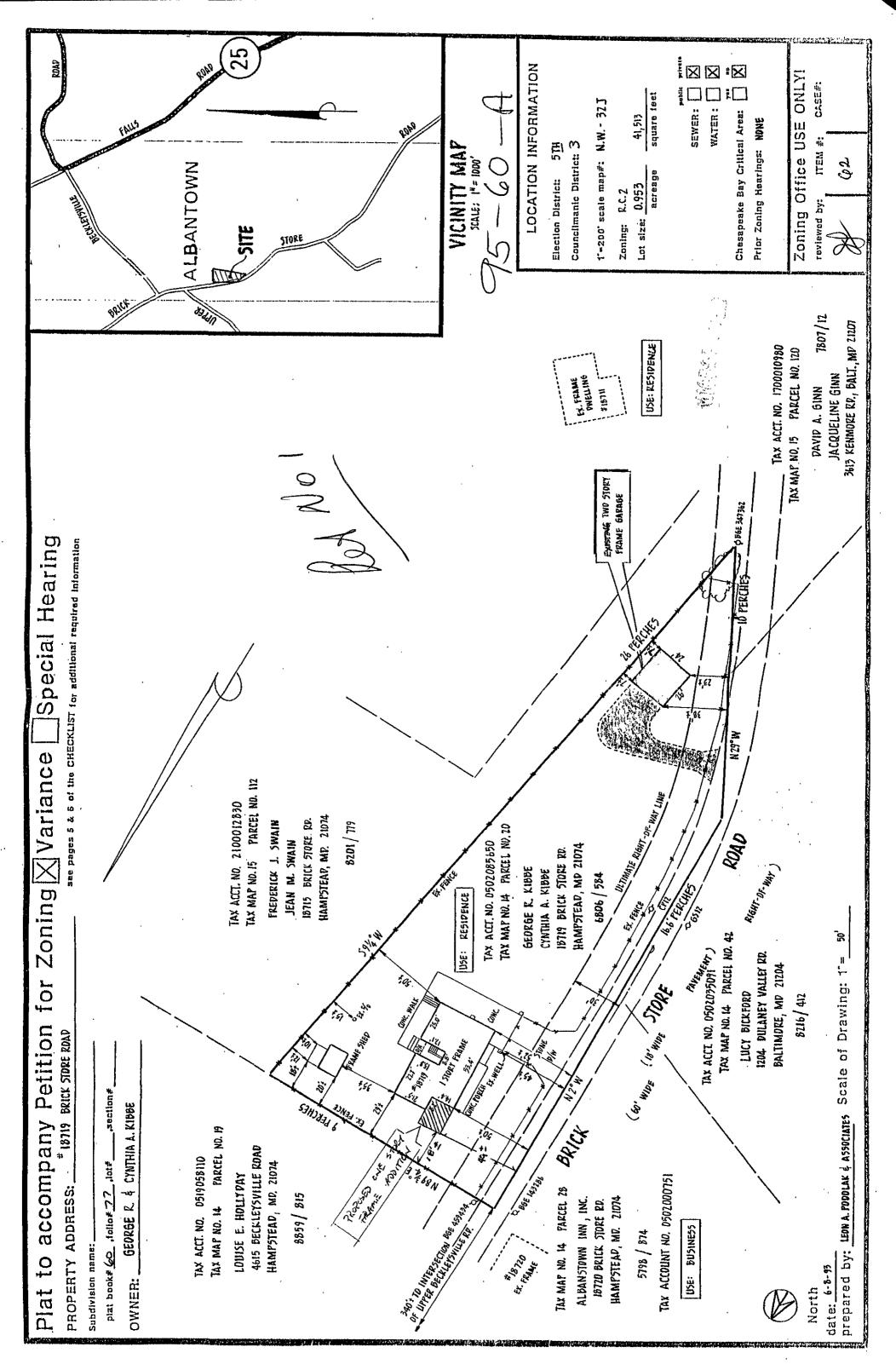


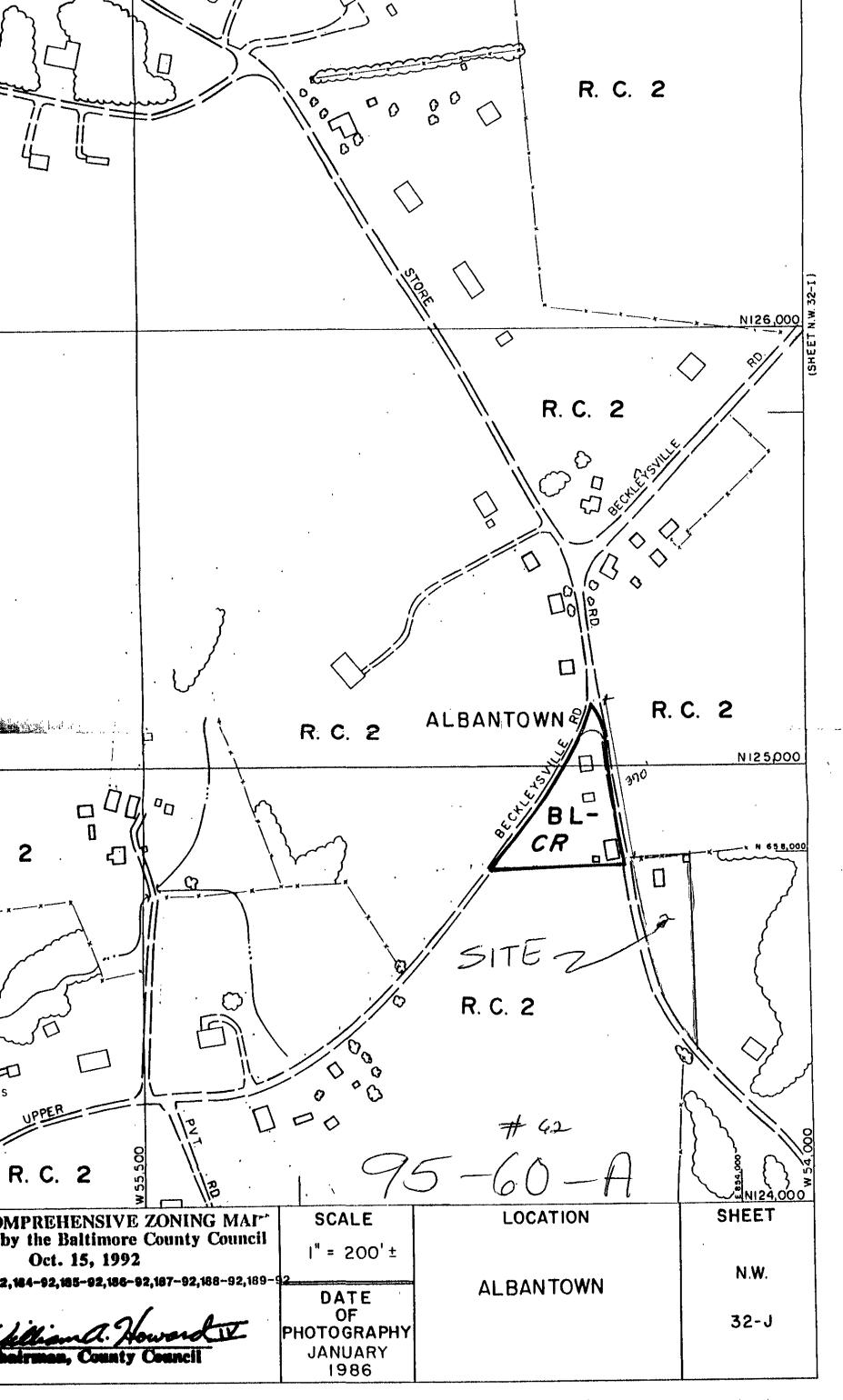
FRONT ELEVATION



PROPOSED ADDITION SHOWN FROM FRONT ELEUTIONS

42







IN RE: PETITION FOR ADMINISTRATIVE ZONING VARIANCE E/S Brickstore Road, 370 ft. S of Upper Beckeysville Road 18719 Brickstore Road

* BEFORE THE * ZONING COMMISSIONER

5th Election District 3rd Councilmanic District George R. Kibbe, II, et ux Petitioners

* OF BALTIMORE COUNTY

* Case No. 95-60-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

* * * * * * * * * *

This matter comes before the Zoning Commissioner as an administrative variance filed by George R. Kibbe, II and Cynthia A. Kibbe for that property known as 18719 Brickstore Road in the northern section of Baltimore County. The Petitioner/property owners herein seek a variance from Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 18 ft. and an existing front yard setback of 49 ft. in lieu of the required side yard setbacks of 35 ft. and 75 ft. from c/l of street, respectively, for an addition, as more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Peti-

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits

submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore day of September, 1994 that the Petition for a Zoning Variance from Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 18 ft. and an existing front yard setback of 49 ft. in lieu of the required side yard setbacks of 35 ft. and 75 ft. from c/l of street, respectively, for an addition, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

> 1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

> > Zoning Commissioner for Baltimore County

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 18719 BRICK STORE ROAD HAMPSTEAD MARYLAND 21074 That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

I WOULD LIKE TO CONSTRUCT AN ASTACHED ADDITION, MEASURING 14' DEER BY 18' LONG BY 15' MICH, FOR THE EXPANSION OF MY HITCHEN AND BREAKFAST BOOM AREA. DIE TO THE HOME'S FLOOR PLAN AND LOCATION OF EXISTING ATTEMEN, IT WOULD NOT BE FEASIBLE TO CONSTRUCT THE PROPOSED ADDITION IN ANY STHEL LOCATION. THE ADDITION WILL AFFECT ANKY THE NOLTH SIDE SETIBLE THE GUIRE MENTS. EAST, WEST AND SIXITH PROPERTY WAS WILL NOT

BY AFFECTED BY THE PROPOSED STRUCTURE. That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and

I HEREBY CERTIFY, this 4th day of 1994, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared byone Hase Harbaugh

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief. AS WITNESS my hand and Notarial Seal.

95-60-A

MCKEE & ASSOCIATES, INC. Engineering - Surveying - Real Estate Development

SHAWAN PLACE, 5 SHAWAN ROAD HUNT VALLEY, MARYLAND 21030

Telephone: (410) 527-1555

Facsimile: (410) 527-1563

June 14, 1993

DESCRIPTION KIBBE PROPERTY FIFTH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

Beginning for the same at a rebar and cap set, said point being the point designated as No. 2 on the "1st. Amended Plat of Blaylock Property" recorded among the Plat Records of Baltimore County in Plat Book S.M. 60, folio 77 on June 6, 1989, said point also being at the end of the 12th or South 89° 30' West 66 perches line of a deed, dated April 1, 1910 between Margaret E. Fowble and Oliver P. Fowble, her husband and Abraham L. Fowble; thence binding on part of the 13th line of said deed, as now surveyed, South 01° 48' 51" West 429.00 feet to a rebar and cap set in the bank east of the east edge of paving of the current road bed of Brick Store Road; thence binding along said road, the two following courses and distances, North 36° 26' 09" West 165.00 feet to a railroad spike set 0.2 feet east of the west edge of paving and North 06° 43' 11" West 282.14 feet to a point in the second line of a deed, dated April 25, 1875 between Lydia Fair et. al. and Eliza Fowble, said point being a railroad spike set 5.8 feet east of the centerline of Brick Store Road; thence reversely along part of the second line of the last mentioned deed, North 83° 44' 59" East 145.46 feet to the place of beginning.

Containing 42,430 square feet or 0.974 acres of land, more or less.

Being the same parcel of ground as conveyed by Terence C.
Severe and Cheryl A. Severe, his wife, to George R. Kibbe, II and Cynthia A. Kibbe, his wife, dated October 5, 1984 and recorded among the Land Records of Baltimore County in Liber E.H.K., Jr.

#62

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

Suite 113 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

September 13, 1994

Mr. and Mrs. George R. Kibbe, II 18719 Brickstore Road Hampstead, Maryland 21074

> RE: Petition for Administrative Zoning Variance Case No. 95-60-A Property: 18719 Brickstore Road

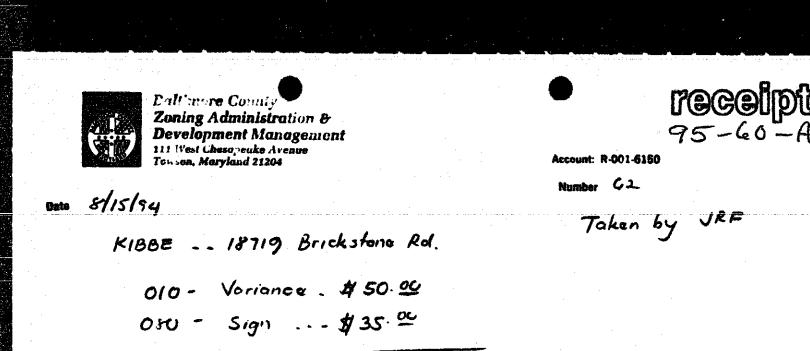
Dear Mr. and Mrs. Kibbe:

Enclosed please find the decision rendered in the above captioned case. The Petition for an Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

> Lawrence E. Schmidt Zoning Commissioner

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Petitioner: George & Cynthio Kille Location of property: 18719 Brick-Store Rdy Fels Location of Signe Facing Toadwog on proporty being Zoned



01A01#0101MICHRC BA C009:45AMO8-15-94 i/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Pr

CONSTRUCT THE PROPOSED ADDITION IN ANY OTHER LOCATION.

Property is to be posted and advertised as prescribed by Zoning Regulations.

This Petition shall be filed with the Office of Zoning Administration & Development Management.

respectively.

18719 BRICKSTORE Pd.

ROBERT KIPE Name OLD BACHMAN'S VALLEY RUAD WESTMINSTER, MD. 21157 410-876-2486

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 18219 BRICHSTORE ROAD

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached

hereto and made a part hereof, hereby petition for a Variance from Section(s)

1401.0.8.3 To permit a side yard settack of 18 ft. (for an addition) and existing front yard setback of 49 ft. in lieu of the required side yard setback of 35 ft. and 75 ft. from center line of street,

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or

PLAN AND LOCATION OF EXISTING KITCHEN, IT WOULD NOT BE FEASIBLE TO

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to

be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

practical difficulty) & would LIKE TO CONSTRUCT AN ATTACHED ADDITION, MEASURING 14' DEEP, BY 18' LONG BY 15' HIGH, FOR THE EXPANSION OF MY HITCHEN AND BREAKFAST ROOM AREA. THE ZONING REGULATIONS FOR THE RC-2 ZONE REQUIRE STRUCTURES TO BE

LOLATED AT LEAST 35' FROM PROPERTY SIDE LINES. DUE TO THE HOME'S FLOUR

95-60-A

which is presently zoned RC-2

that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Printed with Soybean Ink

loning Commissioner of Baitimore County ITEM #: G3

Baltimore County Government Office of Zoning Administration and Development Management

111 West Chesapeake Avenue

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners telative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

1) Posting fees will be accessed and paid to this office at the time of filing.

 Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper. NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

For newspaper advertising: Item No.: 62-Petitioner: <u>GEOLGE</u> + CYNTHIA KIIBE Location: 18719 BRICKSTORIE ROAD HOMPSTEAD, MO. 21674 PLEASE FORWARD ADVERTISING BILL TO:

NAME: GEORGE KIBBE ADDRESS: 18719 BRICK STORIE ROAD.

MMP 5 17 PD , 100. 21074 PHONE NUMBER: 410-239-6596

(Revised 04/09/93)

مراوا والمساولة ومعموم معموم وأطراؤه والمساورة والمساورة

PETITION PROCESSING FLAG

This petition has been accepted for filing, after an initial review, and has been placed on the agenda for the zoning advisory committee. However, the following items were found to be missing or incomplete when the petition was included on the agenda by Sophia. A copy of this "flag" will be placed in the case file for the Zoning Commissioner's review. The planner that accepted the petition for filing has the option of notifying the petitioner and/or attorney prior to the hearing or Zoning Commissioner's review of the petition regarding the items noted below. If the petitioner/attorney is contacted by the planner, it is the petitioner's ultimate decision and responsibility to make a proper application, address any zoning conflicts, and to file revised petition materials if necessary. Delays and unnecessary additional expenses may be avoided by correcting the petition to the proper form.

Need an attorney

The following information is missing: Descriptions, including accurate beginning point Actual address of property

Zoning ____ Plats (need 12, only ____ submitted)
200 scale zoning map with property outlined Acreage Election district Councilmanic district

Baltimore County Government

Fire Department

Zoning Agenda:

Pursuant to your request, the referenced property has been surveyed

by this Bureau and the comments below are applicable and required to

IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 60, 62, 63, 64, 65,

be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,

(410) 887-4500

DATE: 08/25/94

BCZR section information and/or wording Hardship/practical difficulty information Owner's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number Contract purchaser's signature (need minimum 1 original signature) and/or printed name and/or address Signature (need minimum 1 original signature) and/or printed name and/or title of person signing for legal

owner/contract purchaser Power of attorney or authorization for person signing for legal owner and/or contract purchaser Attorney's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number Notary Public's section is incomplete and/er incorrect

PET-FLAG (TXTSOPH) 11/17/93

700 East Joppa Road Suite 901

Towson, MD 21286-5500

Zoning Administration and

Baltimore County Office Building

RE: Property Owner: SEE BELOW

67, 68, 69, 70, 71 AND 72.

Development Management

Armold Jablon

Towson, MD 21204

LOCATION: SEE BELOW

Item No.: SEE BELOW

MAIL STOP-1105

Director

Baltimore County Government Office of Zoning Administration and Development Management



111 West Chesapeake Avenue Towson, MD 21204

SEP. O 8 1994

(410) 887-3353

George and Cynthia Kibbe 18719 Brickstore Road Hampstead, Maryland 21074

> RE: Item No. 62, Case No. 95-60-A Petitioner: George and Cynthia Kibbe

Dear Mr. & Mrs. Kibbe:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on August 15, 1994.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the peition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.

3) Attorneys, engineers and applicants who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the forfeiture loss of the filing fee.

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29 900

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director Zoning Administration and Development Management

August 29, 1994

FROM: Pat Keller, Director Office of Planning and Zoning

Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos.: 48, 49, 53, 54, 57, 58, 61, 62, 63, 64, 67, and 70.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

ZACITEMS.NC/PZONE/ZAC1

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

DATE: 8/31/94

Development Coordination

SUBJECT: Zoning Advisory Committee Agenda: 8/29/94

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

Whobert W. Bowling, P.E., Chief

V Developers Engineering Section

RE: Zoning Advisory Committee Meeting

for September 6, 1994

Items 62, 71 and 72

TO: Arnold Jablon, Director DATE: September 7, 1994
Zoning Administration and Development Management

The Developers Engineering Section has reviewed

the subject zoning items and we have no comments.

Item #'s: / /

LS:sp

LETTY2/DEPRM/TXTSBP

Maryland Department of Transportation

O. James Lighthizer Hal Kassoff Administrator

8-26-94

Ms. Julie Winiarski Zoning Administration and Development Management County Office Building Room 109 111 W. Chesapeake Avenue

Re: Baltimore County

Item No.: ★ 62 (JRF)

Dear Ms. Winiarski:

Towson, Maryland 21204

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Bob Small

David Ramsey, Acting Chief Engineering Access Permits

My telephone number is ______ Maryland Relay Service for Impaired Hearing or Speech 1-800-735-2258 Statewide Toll Free Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717 Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

> **Baltimore County Government** Office of Zoning Administration and Development Management



111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

September 12 1994

George and Cynthia Kibbe 18719 Brickstore Road Hampstead, Maryland 21074

> RE: Case No. 95-60-A, Item No. 62 Petitioner: George and Cynthia Kibbe

Dear Mr. & Mrs. Kibbe:

Enclosure

Enclosed are copies of comments received from Developers Engineering Section on September 7, 1994 for the above-referenced case.

If there are any questions, please do not hesitate to call me at 887-3391.

Sincerely,

Joyce Watson

REVIEWER: LT. ROBERT P. SAUERWALD Fire Marshal Office, PHONE 887-4881, MS-1102F

oo: File

Printed on Recycled Page

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

AUGUST 26, 1994

NOTICE OF CASE NUMBER ASSIGNMENT

TO: George and Cynthia Kibbe 18719 Brickstore Road Hampstead, Maryland 21074

Re: CASE NUMBER: 95-60-A (Item 62)
18719 Brickstore Road
E/S Brickstore Road, 370' S of Upper Beckeysville Road
5th Election District - 3rd Councilmanic

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before August 28, 1994. The closing date (September 12, 1994) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the

closing date. Failure to return the sign and post will result in a \$60.00 charge.

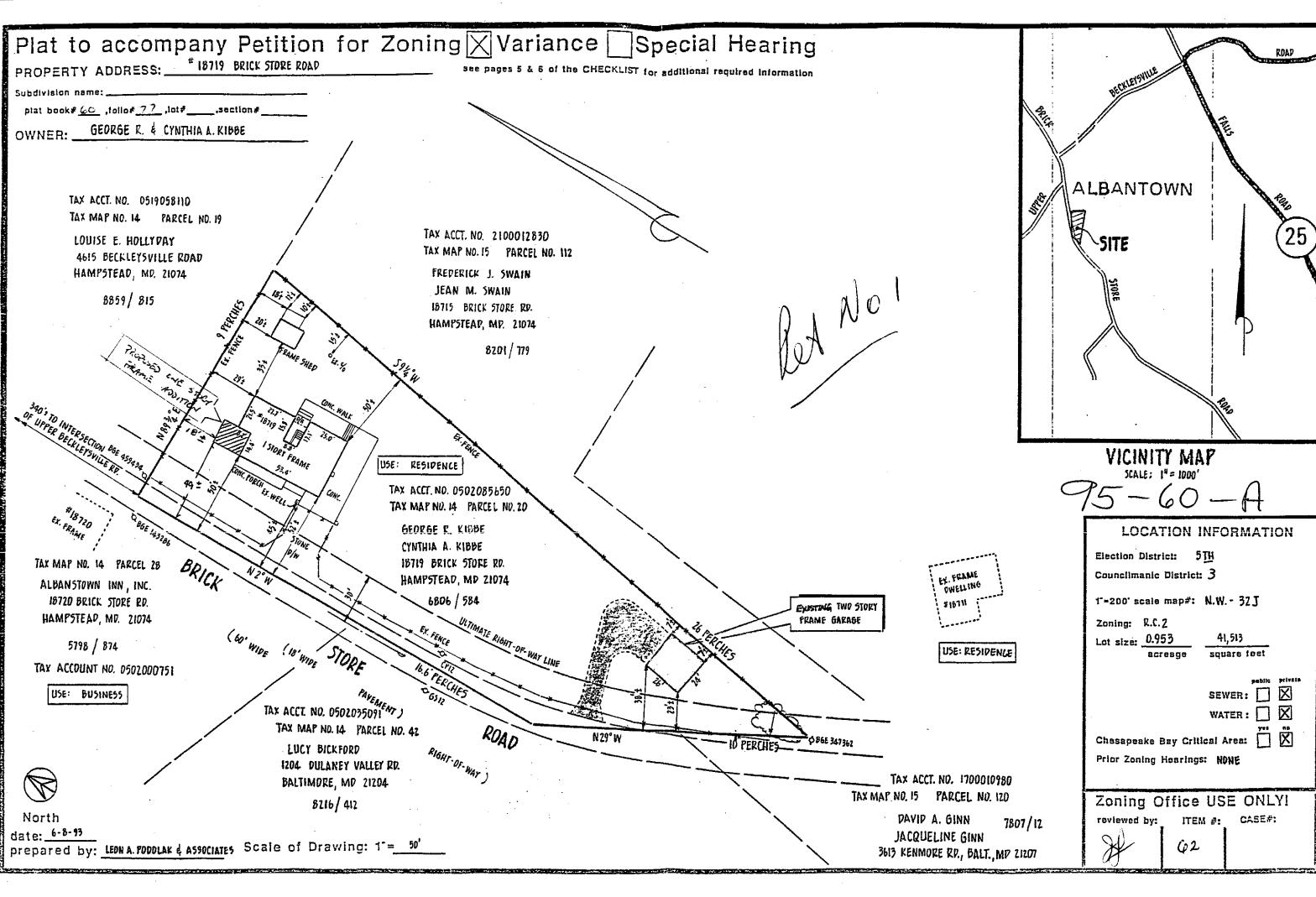
2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

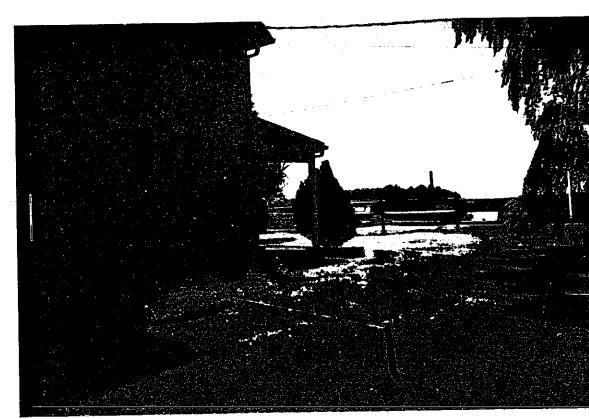
Arnold Jablon
Director

co: Robert Kipe

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PROPOSED ADDITION SHOWN FROM REAR

